

FORM PTO-1390  
(REV. 9-2001)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

CIBT-P01-097

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

09/890,053

INTERNATIONAL APPLICATION NO.

PCT/EP00/00847

INTERNATIONAL FILING DATE

3 February 2000

PRIORITY DATE CLAIMED

4 February 1999

TITLE OF INVENTION **Pharmaceutical Composition of Hydrophobically Modified  
Hedgehog Proteins and Their Use**

APPLICANT(S) FOR DO/EO/US

**PAPADIMITRIOU, Apollon and LANG, Kurt**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). **(executed Declaration document)**
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: **Express Mail Cover Sheet, postcard**

12/12/2001

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U.S. APPLICATION NO. (if known, see 37 CFR 1.3)  
**09/890,053**

INTERNATIONAL APPLICATION NO.  
**PCT/EP00/00847**

ATTORNEY'S DOCKET NUMBER  
**CIBT-P01-097**

21. ☐ The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):**

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO ..... **\$1040.00**

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO ..... **\$890.00**

International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... **\$740.00**

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... **\$710.00**

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
and all claims satisfied provisions of PCT Article 33(1)-(4) ..... **\$100.00**

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

**CALCULATIONS PTO USE ONLY**

\$

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☒ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ **130.00**

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	- 20 =		x <b>\$18.00</b>
Independent claims	- 3 =		x <b>\$84.00</b>
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ <b>\$280.00</b>
<b>TOTAL OF ABOVE CALCULATIONS =</b>			<b>\$ 130.00</b>
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.			+ <b>\$ 65.00</b>
<b>SUBTOTAL =</b>			<b>\$ 65.00</b>
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).			\$
<b>TOTAL NATIONAL FEE =</b>			\$
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +			\$
<b>TOTAL FEES ENCLOSED =</b>			<b>\$ 65.00</b>
			Amount to be refunded: \$
			charged: <b>\$ 65.00</b>

\$

\$

\$

\$

\$ **130.00**

\$ **65.00**

+

**SUBTOTAL =**

\$ **65.00**

\$

**TOTAL NATIONAL FEE =**

\$

\$

**TOTAL FEES ENCLOSED =**

\$ **65.00**

Amount to be refunded: \$

charged: **\$ 65.00**

a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. **18-1945** in the amount of \$ **65.00** to cover the above fees.  
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **18-1945**. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

**Ropes & Gray**  
**Patent Group, 33rd Floor**  
**One International Place**  
**Boston, MA 02110**

SIGNATURE

**Matthew P. Vincent**

NAME

**36,709**

REGISTRATION NUMBER

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Papadimitriou, et al.

Docket No.

CIBT-P01-097

Serial No.  
09/890,053

Filing Date  
July 25, 2001

Examiner  
N/A

Group Art Unit  
N/A

Invention: **PHARMACEUTICAL COMPOSITION OF HYDROPHOBICALLY MODIFIED HEDGEHOG PROTEINS AND THEIR USE**

I hereby certify that the following correspondence:

**Transmittal Letter to the US Designated/Elected Office (DO/EO/US) (2 pages); Copy of Notification of Missing Requirements under 37 U.S.C. 371 in the US Designated/Elected Office(2 pages); executed Declaration/Power of Attorney document and postcard**

*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

October 19, 2001  
*(Date)*

MICHAEL CROWLEY  
*(Typed or Printed Name of Person Mailing Correspondence)*

Michael Crowley  
*(Signature of Person Mailing Correspondence)*

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